



February 20, 2009

HOUSE BILL No. 1118

DIGEST OF HB 1118 (Updated February 17, 2009 8:18 pm - DI 75)

Citations Affected: IC 32-26.

Synopsis: Partition fences. Provides that the partition fence law does not apply to a fence that separates two adjoining parcels of land if one of the parcels is owned by the state or a political subdivision of the state.

Effective: July 1, 2009.

Dodge, Pflum

January 8, 2009, read first time and referred to Committee on Local Government.
February 19, 2009, amended, reported — Do Pass.

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HB 1118—LS 6255/DI 77+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1118

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 32-26-9-0.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.5. (a) As used in this
3 section, "agricultural land" means land that is:
4 (1) zoned or otherwise designated as agricultural land;
5 (2) used for growing crops or raising livestock; or
6 (3) reserved for conservation.
7 (b) This chapter does not apply to a fence that separates two (2)
8 adjoining parcels of property unless at least one (1) of the adjoining
9 parcels is agricultural land.
10 (c) **This chapter does not apply to a fence that separates two (2)**
11 **adjoining parcels of property if one (1) of the adjoining parcels is**
12 **owned by the state or a political subdivision (as defined in**
13 **IC 36-1-2-13).**

HB 1118—LS 6255/DI 77+



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1118, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 32-26-9-0.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.5. (a) As used in this section, "agricultural land" means land that is:

- (1) zoned or otherwise designated as agricultural land;
- (2) used for growing crops or raising livestock; or
- (3) reserved for conservation.

(b) This chapter does not apply to a fence that separates two (2) adjoining parcels of property unless at least one (1) of the adjoining parcels is agricultural land.

(c) This chapter does not apply to a fence that separates two (2) adjoining parcels of property if one (1) of the adjoining parcels is owned by the state or a political subdivision (as defined in IC 36-1-2-13)."

Delete page 2.

and when so amended that said bill do pass.

(Reference is to HB 1118 as introduced.)

SMITH V, Chair

Committee Vote: yeas 11, nays 0.

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